

RULE 116 RESPONSE
U.S. Appln. No. 10/825,420

Claim 1 recites a black matrix containing metal fine particles dispersed in a polymer, wherein a volume fraction of the metal fine particles is in a range from 0.05 to 0.70. Each of Claims 2 and 3 depends from Claim 1.

The black matrix of Claims 1-3 is not rendered obvious by US '753, at least because US '753 fails to teach or suggest a black matrix containing metal fine particles dispersed in a polymer. For example, a black matrix containing metal fine particles dispersed in a polymer cannot be obtained by the electroless plating process used in US '753.

As evidence, Applicants are submitting herewith a Rule 132 Declaration executed by co-inventor Akira HATAKEYAMA. As shown by the data and remarks in the Declaration, metal fine particles formed (deposited) by an electroless plating process are not in a dispersed state where each particle contained therein exists separately but, rather, are in a state where particles having extremely small diameters are connected with each other.

Furthermore, the Declaration demonstrates that comparative examples that are prepared by an electroless plating process as taught in US '753 do not provide a favorable result, even if the volume fractions thereof are adjusted within the range of 0.05-0.70, as recited in Claim 1. Without being bound to any theory, Applicants believe that the deterioration in hue exhibited by the comparative examples after heat-treating may be caused by melt-connecting of the particles having extremely small diameters, which occurs during the heat-treating.

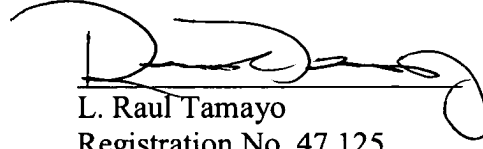
For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the §103 rejection of Claims 1-3.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,



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